

HCBS Final Rule Evidentiary Package

Rosewood Villas



Setting information

| | |
|---|-------------------------------|
| Setting name: Rosewood Villas | ID number: |
| Street address: 224 Milwaukee St, Lakefield MN 56150 | Phone: 507 662 6433 |
| Website, if applicable: REM Minnesota https://www.remminnesota.com | Date of site visit: 2/11/2019 |

Waiver service type

| Waiver service | Service type |
|---|-------------------|
| <input type="checkbox"/> Alternative Care (AC) <input type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD) | Adult foster care |

Reason for heightened scrutiny

| Prong type | Category | Type of setting |
|--|------------------------------------|--|
| Prong 3 Effects of isolating characteristics | Effect of isolating characteristic | Is one of multiple homes located on the same street or adjoining property that shares programming activities Adjoining property |

Note: The term people/person (resident for residential settings) refers to people who receive Medicaid HCBS waiver service(s).

General summary

Rosewood Villas is in Lakefield, a small town of about 1,500 residents in far southern Minnesota. The setting is a single-story apartment building in a residential neighborhood not far from a post office, grocery store, churches and a convenience store. It is a new foster care program that serves four people and is in the same building as Doman-Rose Place, a customized living setting which serves 16 people.

Foster care/supported living service provider standards/qualifications

Licensure requirements and other state regulations for foster care services clearly distinguish these services/settings from institutional licensure or regulations.

- Child and adult foster care (BI, CAC, CADI waivers) and supported living service providers (DD waiver) must be licensed under [Minnesota Statutes 245D](https://www.revisor.mn.gov/statutes/cite/245D) (<https://www.revisor.mn.gov/statutes/cite/245D>).
- Adult foster care (Elderly Waiver and Alternative Care program) provider must meet the licensure requirements found in [Minnesota Rules, parts 9555.5050– 9555.6265](https://www.revisor.mn.gov/rules/9555/) (<https://www.revisor.mn.gov/rules/9555/>) and [Minnesota Statutes, section 245A](https://www.revisor.mn.gov/statutes/cite/245A) (<https://www.revisor.mn.gov/statutes/cite/245A>).

Foster care and supported living service definitions that support the setting requirements

Adult and child foster care for people on BI, CAC and CADI waivers:

Adult foster care is ongoing residential care and supportive services and includes personal care assistant services, homemaker, chore, behavioral aide services, companion services, and medication oversight (to the extent permitted under State law) provided in a licensed home. Minnesota's Community Based Service Manual (CBSM) provides requirements for [Adult or child foster care](http://www.dhs.state.mn.us/main/id_001786) (http://www.dhs.state.mn.us/main/id_001786)

Supported living services for people on the DD waiver:

Supported living services are “residential habilitation services” provided to participants who live in a supported living environment. Residential habilitation services consist of assistance with acquisition, retention, or improvement in skills related to activities of daily living, such as personal grooming and cleanliness, bed making and household chores, eating and the preparation of food, and the social and adaptive skills necessary to enable people to reside in a non-institutional setting. Minnesota's CBSM provides requirements for [Supported living services](http://www.dhs.state.mn.us/main/id_048987#) (http://www.dhs.state.mn.us/main/id_048987#)

Adult foster care for people on the Elderly Waiver/Alternative Care program:

Minnesota's CBSM provides requirements for [Adult foster care](http://www.dhs.state.mn.us/main/id_056766#foster) (http://www.dhs.state.mn.us/main/id_056766#foster) for people on the Elderly Waiver/Alternative Care program.

Prong 3 settings

Meaningful distinction between colocated settings

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.

| Determination | Summary |
|--|--|
| <input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable | <p>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings (how often, what type of programming or activities are shared) and how the provider assures interests and preferences are supported at an individual level (people are engaged in planning community activities based on their preferences, variety of transportation options, schedules are varied, reverse integration is not the sole form of "community integration"):</p> <p>The administrator and staff both reported that there is no shared programming, and the site visitor observed that the two settings operate independently.</p> <p>The administrator and staff reported that during the initial admission meeting and ongoing team meetings they discuss with the person and their family what is important to the person.</p> |
| <input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable | <p>Describe the extent to which staff are scheduled to work with people at the other colocated setting (s) on the same shift:</p> <p>The administrator and staff both reported that staff are never scheduled to work at the other setting.</p> |

| Determination | Summary |
|--|---|
| <input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable | <p>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the other co-located setting (s), to the exclusion of other options; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>The administrator reported that public transportation and a setting-owned vehicle are available and that family members also provide transportation. Persons at this setting cannot be alone without staff or family, so if they use public transportation, they have staff with them. Staff reported that they provide transportation in their own personal vehicles if needed.</p> |

Community engagement opportunities and experiences

A monthly activity calendar is developed by people who live at Rosewood Villa with support from the program supervisor. The calendar is flexible to allow for individual choice and impromptu community activities. On at least an annual basis, people receive their rights packet from the provider which includes their right to participate in activities of their choice. Staff reported that persons receiving services go out as a group about once a week and on their own (with staff/family accompanying them) weekly. If some people go out into the community (as a group) and others don't want to go, there is enough staff so a person can choose to stay home.


Staff reported that people receiving services do the following activities as a group:

- Eat out
- Attend the Laura Ingle Pageant
- Go to the park
- Go to the lake
- Go shopping
- Go bowling
- Attend the car show

HCBS characteristics

This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.

| HCBS Rule requirement | Compliance status (please select) |
|---|--|
| <p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> | Not applicable to day service settings |
| <p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The site visitor observed that persons can lock their bedroom door.</p> | Not applicable to day service settings |
| <p>The setting facilitates that a person, who shares a bedroom, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> | Not applicable to day service settings |
| <p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> | Not applicable to day service settings |

| HCBS Rule requirement | Compliance status (please select) |
|---|--------------------------------------|
| <p>The site visitor observed that bedrooms are decorated individually.</p>  | |
| <p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The administrator reported that food is available and accessible in the common area and that persons can have their own snacks in their room if they don't have a rights restriction.</p> | Compliant |
| <p>The setting allows people to have visitors at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> | Compliant |
| <p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>All four persons were at work when the site visitor was at the setting.</p> | Compliant |
| <p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> | Compliant |

| HCBS Rule requirement | Compliance status (please select) |
|---|--------------------------------------|
| <p>The setting provides people opportunities to access and engage in community life.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>All four persons were at work when the site visitor was at the setting.</p> | Compliant |
| <p>The setting supports the person's control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>There is no person interview for this setting (the person interview is where this question appears).</p> | Compliant |
| <p>The setting ensures people's right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The site visitor observed that persons can lock their bedroom door.</p> | Compliant |
| <p>The setting ensures people's dignity and respect.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The site visitor observed that the administrator and staff talked about persons in a way that showed dignity and respect.</p> | Compliant |
| <p>The setting ensures people's freedom from coercion and restraint.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The administrator reported that doors are locked around 10:30pm but can be left open later and there is a buzzer if persons need to get in after the door is locked for the night.</p> | Compliant |

| HCBS Rule requirement | Compliance status (please select) |
|--|--------------------------------------|
| <p>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>The administrator and staff interviews suggest that this is true, but there is no person interview for this setting to confirm this.</p> | Compliant |

Pictures of the HCBS setting

